REMARKS

Claims 1-75 remain in the application for consideration. In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application

§102 Rejections

Claims 1-75 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,590,604 to Tucker et al. (hereinafter "Tucker").

Claim 1 recites an *editing system* comprising:

- a switch assembly comprising one or more software-implemented matrix switches, individual matrix switches comprising:
- one or more input pins configured to receive a data stream; and
- one or more output pins configured to output a data stream;
- the one or more input pins being routable to the one or more output pins, the switch assembly being configured to process both compressed and uncompressed data *streams to provide a compressed output data stream that represents a user-defined editing project*.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker discloses this claim's subject matter in column 2, lines 18-25, and column 5, lines 23-47. It its previous response, Applicant reproduced these excerpts and explained that Tucker does not disclose or suggest an *editing system* for representing a *user-defined editing project*. Applicant submitted that it is virtually impossible for Tucker to disclose or suggest a switch assembly that comprises part

of an *editing system* for representing a *user-defined editing project*. In its current Office Action, the Office responds by arguing: "[t]here is no limitation in the claim on how the methods in which the user edits the compressed and uncompressed stream i.e. automatically according to a user profile or manually through a user selection". The Office then reasons: "therefore the generation of audio and video streams in response to call establishment by the user taught by Tucker meets the scope of the claimed limitation 'both compressed and uncompressed data streams to provide a compressed output data stream that represents a user-defined editing project'."

Applicant respectfully disagrees and vigorously submits that the Office's reasoning is misplaced because whether or not there is a limitation in this claim regarding "the methods in which the user edits the compressed and uncompressed stream" is irrelevant. Simply put, the presence or absence of limitations in this claim has no bearing on what Tucker does or does not disclose. Regardless of the limitations recited in this claim, Tucker simply does not disclose or suggest an *editing system* for representing a *user-defined editing project*.

As an example of subject matter that embodies the spirit of this claim, the Office is referred to the Specification starting on page 27, line 14 through page 28, line 18, the entirety of which is reproduced below for the convenience of the Office (emphasis added):

> Fig. 9 shows an overview of a process that takes a user-defined editing project and renders from it a data structure that can be used to program the matrix switch.
> Specifically, a user-defined editing project is shown generally at 900. Typically, when a user *creates an editing project*, they can select from a number of different multimedia clips that they can then *assemble into a unique presentation*. Each individual clip represents a *source* of digital

data or a source stream (e.g., multimedia content). Projects can include one or more sources 902. *In defining their project, a user can operate on sources in different ways.* For example, *video sources can have transitions 904 and effects 906 applied on them.* A transition object is a way to change between two or more sources. As discussed above, a transition essentially receives as input, two or more streams, operates on them in some way, and produces a single output stream. An exemplary transition can comprise, for example, fading from one source to another. An effect object can operate on a single source or on a composite of sources. An effect essentially receives a single input stream, operates on it in some way, and produces a single output stream. An exemplary effect can comprise a black-and-white effect in which a video stream that is configured for presentation in color format is rendered into a video stream that is configured for presentation in black and white format. Unlike conventional effect filters, effect object 906 may well perform multiple effect tasks. That is, in accordance with one implementation, an effect object (e.g., 906) may actually perform multiple tasks on the received input stream, wherein said tasks would require multiple effect filters in a conventional filter graph system.

An exemplary user interface 908 is shown and represents what a user might see when they *produce a multimedia project* with software executing on a computer. In this example, the user has selected three sources A, B, and C, and has assembled the sources into a project timeline. *The project timeline defines when the individual sources are to be rendered, as well as when any transitions and/or effects are to occur.*

In contrast, Tucker pertains to a personal videoconferencing system, not an *editing system.* (see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture."). Specifically, Tucker is directed to providing a compact system that can provide business-quality audio and video while being easy to set up and configure. It merely passes audio and video streams to a PC which transmits the information over a network to a remote endpoint, and does not involve any *editing* or *user-defined editing project,* as recited in this claim. (see column 2, lines 13-15).

When viewed in the context of the claimed subject matter, it becomes apparent that Tucker is really concerned with something that is quite different from the subject matter of this claim. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 2-7 depend from claim 1 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 1, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 8 recites an *editing system* comprising:

- a media processing object configured to:
    - receive multiple data streams comprising compressed and uncompressed data streams; and
    - process the one or more data streams to provide a compressed output data stream *that represents a media project*.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker discloses this claim's subject matter in column 2, lines 18-45, and column 5, lines 23-47.

As noted above, Tucker pertains to a personal videoconferencing systems, see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture." Tucker does not disclose or suggest an *editing system* that represents a *media project*. As such, it is virtually impossible for Tucker to disclose or suggest a media processing object that comprises part of an *editing*

system that represents a *media project*. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 9-12 depend from claim 8 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 8, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 13 recites a *multi-media editing system* comprising:

- a switch assembly comprising one or more software-implemented matrix switches, individual matrix switches comprising:
- one or more input pins configured to receive a data stream; and
- one or more output pins configured to output a data stream;
- the one or more input pins being routable to the one or more output pins, the switch assembly being configured to process both compressed and uncompressed data streams to provide a compressed output data stream *that represents a user-defined multi-media editing project;* and
- one or more data structures associated with the switch assembly and configured for use in programming the switch assembly to provide a routing scheme for routing input pins to output pins for a given multi-media editing project time line.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker discloses this claim's subject matter in column 2, lines 18-45, and column 5, lines 23-47.

As noted above, Tucker pertains to a personal videoconferencing systems, see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture." Tucker does not disclose or suggest a *multi-media*

editing system for representing a *user-defined multi-media editing project*. As such, it is virtually impossible for Tucker to disclose or suggest a switch assembly and data structure(s) that comprise part of a *multi-media editing system* for representing a *user-defined multi-media editing project*. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 14-20 depend from claim 13 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 13, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 21 recites a *multi-media editing system* comprising:

- a switch assembly comprising one or more non-hardware matrix switches, individual matrix switches comprising:
- one or more input pins configured to receive a data stream; and
- one or more output pins configured to output a data stream;
- the one or more input pins being routable to the one or more output pins, the switch assembly being configured to process both compressed and uncompressed data streams to provide a compressed output data stream that *represents a user-defined multi-media editing project*.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker.

As noted above, Tucker pertains to a personal videoconferencing systems, see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture." Tucker does not disclose or suggest a *multi-media*

editing system for representing a *user-defined multi-media editing project*. As such, it is virtually impossible for Tucker to disclose or suggest a switch assembly that comprises part of a *multi-media editing system* for representing a *user-defined multi-media editing project*. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 22-27 depend from claim 21 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 21, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 28 recites an media processing system comprising:

- switch means for receiving compressed and uncompressed data streams *associated with sources that are to be incorporated into a project* and processing the compressed and uncompressed data streams to provide *a single compressed output stream that represents the project*; and
- programming means associated with the switch means and configured to program the switch means to provide the single compressed output stream.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker discloses this claim's subject matter in column 2, lines 18-45, and column 5, lines 23-47.

As noted above, Tucker pertains to a personal videoconferencing systems, see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture." Tucker does not disclose or suggest a *media processing*

system for representing a *project*, as that term is understood in the context of Applicant's disclosure. As such, it is virtually impossible for Tucker to disclose or suggest a switch means and programming means that comprise part of a *media processing system* for representing a *project*. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 29-32 depend from claim 28 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 28, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 33 recites a *multi-media editing system* comprising:

- a first software-implemented matrix switch comprising one or more input pins and one or more output pins, the one or more input pins being routable to the one or more output pins, the first matrix switch being configured to process one or more uncompressed data streams and output an uncompressed data stream;
- a second software-implemented matrix switch comprising one or more input pins and one or more output pins, the one or more input pins being routable to the one or more output pins, the second matrix switch being configured to process one or more compressed data streams and output a compressed data stream; and
- a third software-implemented matrix switch comprising multiple input pins and multiple output pins, the input pins being routable to one or more output pins, the third matrix switch being configured to receive an uncompressed data stream from the first switch and a compressed data stream from the second switch and process the received data streams to provide a single compressed output data stream that *represents a user-defined multi-media editing project*.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker

discloses this claim's subject matter in column 2, lines 18-45, and column 5, lines 23-47.

As noted above, Tucker pertains to a personal videoconferencing systems, see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture." Tucker does not disclose or suggest a *multi-media editing system* for representing a *user-defined multi-media editing project*. As such, it is virtually impossible for Tucker to disclose or suggest a first software-implemented switch, a second software-implemented switch and a third software-implemented switch that comprises part of a *multi-media editing system* for representing a *user-defined multi-media editing project*. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 34-37 depend from claim 33 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 33, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 38 recites a *multi-media editing system* comprising:

- first software switch means for processing one or more uncompressed data streams to provide an uncompressed data stream, the switch means comprising at least one feedback loop that modifies a data stream that is output by the switch means and provides the modified data stream as an input to the switch means;
- second software switch means for processing one or more compressed data streams to provide a compressed data stream; and
- a third software switch means for receiving an uncompressed data stream from the first software switch means and a compressed data stream from the second software switch and processing the received

data streams to provide a single compressed output data stream that *represents a user-defined multi-media editing project*.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker discloses this claim's subject matter in column 2, lines 18-45, and column 5, lines 23-47.

As noted above, Tucker pertains to a personal videoconferencing systems, see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture." Tucker does not disclose or suggest a *multi-media editing system* for representing a *user-defined multi-media editing project*. As such, it is virtually impossible for Tucker to disclose or suggest first software switch means, a second software switch means and third software switch means that comprise part of a *multi-media editing system* for representing a *user-defined multi-media editing project*. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claim 39 depends from claim 38 and is allowable as depending from an allowable base claim. This claim is also allowable for its own recited features which, in combination with those recited in claim 38, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 40 recites a *multi-media editing system* comprising:

- a first software-implemented matrix switch comprising one or more input pins and one or more output pins, the one or more input pins being routable to the one or more output pins, the first matrix switch being configured to process one or more uncompressed data streams and output an uncompressed data stream;

- a second software-implemented matrix switch comprising one or more input pins and one or more output pins, the one or more input pins being routable to the one or more output pins, the second matrix switch being configured to process one or more compressed data streams and output a compressed data stream;
- a third software-implemented matrix switch comprising multiple input pins and multiple output pins, the input pins being routable to one or more output pins, the third matrix switch being configured to receive an uncompressed data stream from the first switch and a compressed data stream from the second switch and process the received data streams to provide a single compressed output data stream that *represents a user-defined multi-media editing project*; and
- one or more data structures associated with at least some of the matrix switches and configured for use in programming the associated switches to provide a routing scheme for routing input pins to output pins.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker discloses this claim's subject matter in column 2, lines 18-45, and column 5, lines 23-47.

As noted above, Tucker pertains to a personal videoconferencing system, see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture." Tucker does not disclose or suggest a *multi-media editing system* for representing a *user-defined multi-media editing project*. As such, it is virtually impossible for Tucker to disclose or suggest a first software-implemented matrix switch, a second software-implemented matrix switch, a third software-implemented matrix switch and data structure(s) that comprise part of a *multi-media editing system* for representing a *user-defined multi-media editing project*. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 41-43 depend from claim 40 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 40, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 44 recites a *multi-media editing method* comprising:

- *providing a switch assembly* comprising one or more software-implemented matrix switches, individual matrix switches comprising one or more input pins and one or more output pins, the one or more input pins being routable to the one or more output pins, the switch assembly being configured to process both compressed and uncompressed data streams to provide a compressed output data stream *that represents a user-defined multi-media editing project*; and
- programming the switch assembly using one or more data structures, said programming providing a routing scheme for routing input pins to output pins for a given time period.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker discloses this claim's subject matter in column 2, lines 18-45, and column 5, lines 23-47.

As noted above, Tucker pertains to personal videoconferencing systems and methods, see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture." Tucker does not disclose or suggest a *multi-media editing method* for representing a *user-defined multi-media editing project*. As such, it is virtually impossible for Tucker to disclose or suggest providing a switch assembly and programming the switch assembly using data

structure(s) in accordance with a *multi-media editing method* for representing a *user-defined multi-media editing project*. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 45-56 depend from claim 44 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 44, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 57 recites one or more computer-readable media having computer-readable instructions thereon which, when executed by a computer, cause the computer to:

- provide a switch assembly comprising multiple software-implemented matrix switches, individual matrix switches comprising one or more input pins and one or more output pins, the one or more input pins being routable to the one or more output pins, the switch assembly comprising:
- a first switch configured to process uncompressed data streams to provide an uncompressed output data stream;
- a second switch configured to process compressed data streams to provide a compressed output data stream; and
- a third switch configured to receive both the uncompressed and compressed output data streams and process the data streams to provide a compressed output data stream that *represents a user-defined multi-media editing project*; and
- program the switch assembly by defining a first grid structure containing data that defines an association between the first switch's input pins, at least one output pin and a time line defined by the editing project, and defining a second grid structure containing data that defines an association between the second switch's input pins, at least one output pin and the time line defined by the editing project.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker discloses this claim's subject matter in column 2, lines 18-45, and column 5, lines 23-47.

As noted above, Tucker pertains to personal videoconferencing systems and methods, see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture." Tucker does not disclose or suggest a system that comprises instructions that provide a switch assembly for representing a *user-defined multi-media editing project*. As such, it is virtually impossible for Tucker to disclose or suggest such a system that comprises first, second and third switches as recited in this claim. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 58-62 depend from claim 57 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 57, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 63 recites a *multi-media editing method* comprising:

- providing a first software-implemented matrix switch comprising one or more input pins and one or more output pins, the one or more input pins being routable to the one or more output pins, the first matrix switch being configured to process one or more uncompressed data streams and output an uncompressed data stream;
- providing a second software-implemented matrix switch comprising one or more input pins and one or more output pins, the one or more input pins being routable to the one or more output pins, the second

matrix switch being configured to process one or more compressed data streams and output a compressed data stream;

- providing a third software-implemented matrix switch comprising multiple input pins and multiple output pins, the input pins being routable to one or more output pins;
- receiving, with the third matrix switch, an uncompressed data stream from the first switch and a compressed data stream from the second switch; and
- processing the received data streams with the third switch to provide a single compressed output data stream that *represents a user-defined multi-media editing project*.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker discloses this claim's subject matter in column 2, lines 18-45, and column 5, lines 23-47.

As noted above, Tucker pertains to personal videoconferencing systems and methods, see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture." Tucker does not disclose or suggest a *multi-media editing method* for representing a *user-defined multi-media editing project*. As such, it is virtually impossible for Tucker to disclose or suggest providing a first, second and third software-implemented matrix switches as recited in this claim. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 64-66 depend from claim 63 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 63, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 67 recites one or more computer-readable media having computer-readable instructions thereon which, when executed by a computer, cause the computer to:

- process at least one compressed data stream to provide an output compressed data stream *that comprises a portion of a user-defined multi-media editing project* that is associated with a data stream source;
- process one or more uncompressed data streams to manipulate the one or more uncompressed data streams to provide an output uncompressed data stream *that comprises a different portion of a user-defined multi-media editing project* that is associated with one or more data stream sources;
- compress the output uncompressed data stream; and
- associate the output compressed data stream and the compressed output uncompressed data stream together to provide a compressed stream *that represents a user-defined multi-media editing project*.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker discloses this claim's subject matter in column 2, lines 18-45, and column 5, lines 23-47.

As noted above, Tucker pertains to personal videoconferencing systems and methods, see, e.g. Tucker's title "Personal Videoconferencing System Having Distributed Processing Architecture." Tucker does not disclose or suggest a *multi-media editing system* for representing a *user-defined multi-media editing project*. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 68-69 depend from claim 67 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited

features which, in combination with those recited in claim 67, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Claim 70 recites one or more computer-readable media having computer-readable instructions thereon which, when executed by a computer, cause the computer to:

- receive and process one or more uncompressed data streams with a first software-implemented matrix switch comprising one or more input pins and one or more output pins, the one or more input pins being routable to the one or more output pins to output an uncompressed data stream;
- receive and process one or more compressed data streams with a second software-implemented matrix switch comprising one or more input pins and one or more output pins, the one or more input pins being routable to the one or more output pins to output a compressed data stream;
- receive and process the uncompressed data stream that is output by the first switch and the compressed data stream that is output by the second switch with a third software-implemented matrix switch comprising multiple input pins individual ones of which receive data streams, and one or more output pins individual ones of which provide data streams, the one or more input pins being routable to the one or more output pins to output, at one output pin, a compressed data stream that *represents a user-defined multi-media editing project*.

In making out the rejection of this claim, the Office argues that its subject matter is anticipated by Tucker. Specifically, the Office argues that Tucker discloses this claim's subject matter in column 2, lines 18-45, and column 5, lines 23-47.

As noted above, Tucker pertains to personal videoconferencing systems and methods, see, e.g. Tucker's title "Personal Videoconferencing System Having

Distributed Processing Architecture." Tucker does not disclose or suggest a *multi-media editing system* for representing a *user-defined multi-media editing project*. Accordingly, because Tucker does not disclose or suggest the subject matter of this claim, this claim is allowable.

Claims 71-75 depend from claim 70 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 70, are neither disclosed nor suggested in the references of record, either singly or in combination with one another.

Conclusion

Applicant has sincerely made an attempt to advance prosecution in this matter. The Office continues to maintain its position with respect to Tucker. In the interest of advancing prosecution in this matter in the most efficient manner possible, Applicant intends to appeal the rejections to the Board in the event the Office does not remove the rejections.

Respectfully Submitted,

Dated: 3/28/06

By: _____
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